

CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
TOLEDO

3:12 CV 2176

Case No. 2012-0001
Judge: JUDGE HELMICK

)
) **NOTICE OF REMOVAL**

) Adam W. Loukx, Dir. of Law (0062158)
) Leslie A. Kovacik (0070157)
) Joyce Anagnos (0078516)
) City of Toledo, Department of Law
) 420 Madison Ave., Suite 100
) Toledo, Ohio 43604
) Telephone: 419.245.1893
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Counsel for Defendant City of Toledo
MAG. JUDGE JAMES R. KNEPP III

Counsel for Defendant City of Toledo
MAG. JUDGE JAMES R. KNEPP II

1. The removing party is the Defendant in the Court of Common Pleas action.
2. All parties to this action are residents of, or are located in, the State of Ohio within the Northern District, Western Division.
3. On or about July 26, 2012 and thereafter, the removing party was served the Complaint captioned *J.G. Ewing Sewer Contractors, vs. City of Toledo*, Case No. CI 12-4450 upon the docket of the Common Pleas Court of Lucas

County, Ohio. This document constitutes all process, pleadings and orders served upon Defendants.

4. Copies of the state-court pleadings and orders served upon Defendants are attached. No further proceedings have occurred in the case.
5. The action referred to above is a civil action for which this Court has original jurisdiction under the provisions of Title 28 United States Code Sections 1331 and 1343.
6. This action may be removed to this Court pursuant to Title 28 United States Code Section 1441 because it is a civil suit for damages and, among other allegations, purportedly arises under 15 U.S.C. §1.
7. This Notice of Removal is being filed within thirty (30) days of after receipt by Defendants of the Complaint, and is timely filed in accordance with Title 28 United States Code Section 1446(b).
8. A true and accurate copy of this Notice of Removal will be filed with the Clerk of The Lucas County Court of Common Pleas and will be provided to the adverse Parties, as required by 28 U.S.C. Section 1446(d).

Respectfully submitted,

ADAM K. LOUKX, LAW DIRECTOR

By: /s/ Leslie A. Kovacik *Leslie A. Kovacik* 46
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CERTIFICATION OF SERVICE

This is to certify that a copy of the foregoing Notice was sent by regular U.S. Mail service to Martin J. McManus, 709 Madison Ave., Toledo, Ohio 43604 and Corey L. Tomlinson, One SeaGate, Suite 1645, Toledo, Ohio 43604, this 24th day of August, 2012.

/s/ Leslie A. Kovacik *Leslie A. Kovacik, Lt*
Leslie A. Kovacik